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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,864	02/26/2002	Jukka Wallenius	4925-189PUS	8477

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EXAMINER

PATEL, DHAIRYA A

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 10/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/018,864	Applicant(s) WALLENIUS, JUKKA	
	Examiner Dhairya A. Patel	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/17/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Application # 10/018864 was filed on 2/26/2002. Claims 1-24 are presented for examination.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: it is missing inventor's signature.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the media components, multimedia streams must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1,2,4,5,8,10-14,16,17,20,22-24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1,2,4,5,8,10-14,16,17,20,22-24, the claim limitations contain "media components", but examiner does not understand the clear meaning of what "media components" are. Therefore proper clarification is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-4,7-9,13-16,19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer et al. U.S. Patent # 6,801,521).

As per claim 1, Shaffer teaches a method for providing a connection control for separate media components forming a multimedia stream transferred between two end-points (Fig. 1 element 102A,B) each located in a network system (Fig. 1 element 112) (column 3 lines 59-67), comprising the steps of:

- monitoring media component control signaling between the end-points (column 4 lines 25-32);

- informing control means (Fig. 3 element 804) about separate media components (column 4 lines 44-65);

The reference teaches control knowing about the audio files (802a, 802b), which are separate media components.

- recognizing the separate media components associated with a call between the two end-points (column 5 lines 29-45, lines 55-67); and

The reference teaches recognizing the patterns of the call signals and the audio files associated with the call and if they match it applies the connection.

-applying a connection control issued by the control means to the separate media components (column 5 lines 55-67)(column 6 lines 1-15)(column 5 lines 25-45).

As per claim 2, Shaffer teaches the method of claim 1, wherein in the monitoring step call control means control means receive a media component control-signaling message (column 6 lines 1-15).

The reference teaches in-band monitor monitoring the signals and then sending the control signal for the media stream to the gateway controller (control means).

As per claim 3, Shaffer teaches the method of claim 1, wherein the informing step includes the step of:

-sending a message to the control means (column 5 lines 60-65); and

The reference teaches sending a message to the gateway, which comprises the control means (Fig. 4 element 850) of the gateway.

-waiting for a response from the control means (Column 5 lines 60-67).

The reference teaches receiving the message at the control means of the gateway and then sending a response to in-band signal monitor.

As per claim 4, Shaffer teaches the method of claim 1, wherein the informing step includes the step of:

-sending a message to the control means (column 5 lines 60-65); and

The reference teaches sending a message to the gateway, which comprises the control means (Fig. 4 element 850) of the gateway.

-waiting for a response from the control means (Column 5 lines 60-67)

The reference teaches receiving the message at the control means of the gateway and then waiting and then sending a response to in-band signal monitor.

-receiving the message from the control means (Column 5 lines 60-67)

The reference teaches receiving the message at the control means of the gateway and then sending a response to in-band signal monitor, and

-sending a modified component control signaling message for call control means (column 6 lines 36-46)(column 7 lines 6-10).

The reference teaches sending a control signal message to the H.323 terminal advising the client of the busy signal or recognizing the signal and then client sends a disconnect signal message to the gateway to disconnect the call (call control means) because gateway is the one who is in control of call control means because it connects and disconnects the call.

As per claim 7, Shaffer teaches the method according to claim 1, wherein the informing step includes the steps of :

-sending a message from call control means to the control means (column 5 lines 60-65); and

-waiting for a response from the control means to the call control means (Column 5 lines 60-67)

As per claim 8, Shaffer teaches the method of according to claim 2, wherein the media component control signaling message describes opening, closing or modifying a media component (column 5 lines 4-6).

The reference teaches control signaling is recognized and the terminal starts playing (opening) the audio file (media component).

As per claim 9, Shaffer teaches the method according to claim 2, wherein the media component control signaling message is in association with a call signaling message (column 5 lines 2-6).

The reference teaches the when the component control signaling message is recognized the terminal starts playing the audio file corresponding to the call progress signal (call signal message).

As per claims 13-16,19-21 teaches same limitations as claims 1-4,7-9 respectively, therefore rejected under same basis.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-6,10-12,17-18,22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. U.S. Patent # 6,801,521 (hereinafter Shaffer) in view of Salama et al. U.S. Patent # 6,584,093 (hereinafter Salama).

As per claim 5, Shaffer teaches the method of claim 1, wherein the monitoring step, but fails to teach if the media component control signaling message are routed via media proxy means, the call control means request report of media component related events from the media proxy means, and the media proxy means inform the call control

means of the media component related events. Salama teaches if the media component control signaling message are routed via media proxy means, the call control means request report of media component related events from the media proxy means, and the media proxy means inform the call control means of the media component related events (column 3 lines 1-15, lines 22-44). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with routing signaling message via proxy, call control means requesting report from the media proxy, and media proxy informing the call control means. The motivation doing so would have been to find out if the signaling message was received when it was routed through the proxy therefore call control means requesting report to find out if the signaling message was received correctly.

As per claim 6, Shaffer teaches the method according to claim 1, but fails to teach the multimedia stream is routed via media proxy means communicating with call control means. Salama teaches the multimedia stream is routed via media proxy means communicating with call control means (column 3 lines 22-44). Salama teaches that all the RTP stream (multimedia streams) are routed via proxy communicating with the gatekeepers and the terminal (call control). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with having multimedia stream being route via a media proxy communicating with call control means. The motivation for doing so would have been so that each ISP which has different policies and which

are connected to proxies can force all incoming H.323 calls to go through these proxies in order to enforce its specific policies on the calls (column 3 lines 47-51).

As per claim 10, Shaffer and Salama teaches the method according to claim 6, but Salama further teaches wherein the media components associated with a call are recognized in the media proxy (column 5 lines 50-67)(column 6 lines 1-6). Salama teaches media components associated with the call are received by the proxies and creates the corresponding request to pass to redirect server using recognized media stream. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with recognizing media components in the proxies. The motivation for doing so would have been so that media stream would flow directly between the endpoints and through Internet.

As per claim 11, Shaffer and Salama teaches the method of claim 10, but Shaffer further teaches further comprising a connection control step including the step of issuing connection control requests from the control means to the call control means (column 5 lines 24-45). Shaffer fails to teach issuing connection control requests from the call control means to the media proxy means. Salama teaches issuing connection control requests from the call control means to the media proxy means (column 5 lines 50-67)(column 6 lines 1-6) and switching the media components by the media proxy means in accordance with the connection control requests (column 6 lines 6-16). It would have been obvious to one ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with issuing

connection control requests to the media proxy from the call control means. The motivation for doing so would have been so that the media stream would flow directly between the endpoints and through Internet.

As per claim 12, Shaffer and Salama teaches the method according to claim 11, but Shaffer further teaches wherein the switching step involves media proxy switching IP packet payloads carrying a media component between an incoming and outgoing packet stream (column 3 lines 38-53).

As per claims 17-18,22-24 teaches same limitations as claims 5-6,10-12 respectively, therefore rejected under same basis.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A). "Method and Apparatus for automatic inter-domain routing of calls" by Salama et al. U.S. Patent # 6,584,093.

B). "System and method for distributed call signaling in telephony-over-LAN networks" by Shaffer et al. U.S. Patent # 6,801,521.

8. A shortened statutory period for response to this action is set to expire **3 (three) Months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

9.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER

DAP